

EXHIBIT K

EXHIBIT K

From: Strange, John <JStrange@cityofmadison.com>

Sent: Wednesday, March 13, 2019 5:21 AM CDT

To: Hank, George <GHank@cityofmadison.com>; Stouder, Heather <HStouder@cityofmadison.com>; Tucker, Matthew <MTucker@cityofmadison.com>

Subject: Re: Inquiry about recently issued Edgewood permits

George,

This all looks good except, in number 2, I think this is more accurate:

The lighting plan approval is correct and stands. Nothing has been rescinded. The lighting ordinance does not address pole height. The electrical permit to install the lights is currently locked while staff reviews whether installation would result in a zoning violation. We would not want to issue it and then tell them to take them down.

If you are more comfortable saying "while the City Attorney's Office reviews..." that is fine too. Or, if anyone disagrees with this change, let me know.

Thanks,

John

From: Hank, George

Sent: Tuesday, March 12, 2019 5:02 PM

To: Strange, John; Stouder, Heather; Tucker, Matthew

Subject: FW: Inquiry about recently issued Edgewood permits

John,

Please see the following from an Edgewood neighbor:

My thoughts and "responses" in yellow

Mr. Hank -

I just wanted to check in on the status of the questions that I asked you in my email on 3/7:

1. If Edgewood were to submit another application, are you able to send a copy of it to me immediately?

I feel uncomfortable stating I will keep an eye out for an application and send it off immediately. If he asks, even daily, I would tell him if we received one.

2. At what point do these applications become public record and what is the best avenue to ensure that we are notified of them immediately?

I have always thought it becomes public when we receive it

Also, I'd like to verify that my current understanding of the situation is correct:

My understanding is that Edgewood's "site plan verification"

(LNDSPPR-2019-00020) was initially approved and then rescinded (due its violation of the 68-foot limit), and that they have a pending electrical permit (BLDELE-2019-02858) that was submitted on 3/6 and whose review is currently on hold, but would be approved immediately if Edgewood were to submit and get approved a new, compliant, site plan verification, and that Edgewood has not submitted any new applications since your email on 3/7.

Is that correct?

The lighting plan approval is correct and stands. The lighting ordinance does not address pole height. The electrical permit to install the lights is currently locked because their installation would result in a zoning violation. We would not want to issue it and then tell them to take them down.

At what points would the community members have additional opportunities to raise legal issues with these permits?

There would be no opportunity, i.e. public hearing, if the light installation were found to be compliant with the current CI Zoning.

Ethan

-----Original Message-----

From: Ethan Brodsky

Sent: Tuesday, March 12, 2019 2:13 PM

To: Hank, George

Cc: Stouder, Heather

Subject: RE: Inquiry about recently issued Edgewood permits

On Thu, 7 Mar 2019, 'Ethan Brodsky' wrote:

> On Thu, 7 Mar 2019, Hank, George wrote:

> > The electrical permit has not been issued. They do not need a
> > building permit.

> >

> > After additional review we have concluded that the light poles do
> > need to conform to the 68 foot requirement. While they are not a
> > building, they are structures per the Zoning Code and not given an
> > exemption similar to steeples, spires,,,flag poles. Everything with
> > the exception of flag poles would require a building permit. Light
> > poles do not require building permits.

> >

> > If they resubmit their lighting plans with poles the meet the 68
> > foot requirement we would then look to issue the electrical permit

> > to install the 68 foot poles. They will be required to meet the outdoor light code.

>

> Mr. Hank -

>

> Thank you for this information. I do have a number of other

> questions, but my colleagues are meeting with the city tomorrow to

> discuss this issue further, so perhaps they would be best answered at that time.

>

> If Edgewood were to submit another application, are you able to send a

> copy of it to me immediately? We were not able to get a copy of this

> application until long after it had been submitted and approved. At

> what point do these applications become public record and what is the

> best avenue to ensure that we are notified of them immediately?

Mr. Hank -

I just wanted to check in on the status of the questions that I asked you in my email on 3/7:

1. If Edgewood were to submit another application, are you able to send a copy of it to me immediately?

2. At what point do these applications become public record and what is the best avenue to ensure that we are notified of them immediately?

Also, I'd like to verify that my current understanding of the situation is correct:

My understanding is that Edgewood's "site plan verification"

(LNDSPPR-2019-00020) was initially approved and then rescinded (due its violation of the 68-foot limit), and that they have a pending electrical permit (BLDELE-2019-02858) that was submitted on 3/6 and whose review is currently on hold, but would be approved immediately if Edgewood were to submit and get approved a new, compliant, site plan verification, and that Edgewood has not submitted any new applications since your email on 3/7.

Is that correct?

At what points would the community members have additional opportunities to raise legal issues with these permits?

Ethan